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Attorneys for Plaintiff

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

PETER G. THOMAS, a single man,  
Plaintiff,

vs.

METROPOLITAN LIFE INSURANCE  
COMPANY, a New York corporation,  
Defendant.

**No. 2:13-cv-00785-ROS**

**STIPULATION TO DISMISS WITH  
PREJUDICE**

The parties, through undersigned counsel, hereby stipulate that the *Complaint* in the above-referenced action may be dismissed with prejudice, each party to bear their own attorneys' fees and costs. The proposed *Order Dismissing Case with Prejudice* is lodged contemporaneously herewith.

Dated this 5<sup>th</sup> day of August, 2013.

**WARNER ANGLE HALLAM JACKSON  
& FORMANEK PLC**

By: /s/ Chris R. Baniszewski

2555 East Camelback Rd., Suite 800  
Phoenix, Arizona 85016  
*Attorney for Plaintiff*

**OGLETREE DEAKINS NASH  
SMOAK & STEWART, PC**

By /s/ F. David Harlow  
Jim Mackie  
F. David Harlow  
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*Attorneys for Defendant*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 15<sup>th</sup> day of August, 2013, I electronically transmitted the attached document to the Clerk's Office using the ECF System for filing.

By /s/ Luci Roff

Warner Angle Hallam Jackson & Formanek PLC